

REMARKS

Claims 1-24 were pending in this application.

Claims 1-24 have been rejected.

Claims 1, 2, 7, 9, 13, 14, 19, and 21 have been amended as shown above.

Claims 25 and 26 have been added.

Claims 1-26 are now pending in this application.

Reconsideration and full allowance of Claims 1-26 are respectfully requested.

I. REJECTION UNDER 35 U.S.C. § 102

The Office Action rejects Claims 1-24 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0106997 to Barber et al. ("*Barber*"). This rejection is respectfully traversed.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. (*MPEP* § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990)). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. (*MPEP* § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985)).

Barber recites a method and apparatus for extending the battery life in a radio frequency wireless modem 100. (*Abstract*). The modem 100 is capable of operating in a normal power mode and a low power sleep mode. (*Page 6, Par. [0064]*). The modem 100 also includes two

timers 440, 445. (*Page 7, Par. [0074]*). The first timer 440 determines the amount of time that the modem 100 attempts to register with a base station controller. (*Page 7, Par. [0074]*). Once the first timer 440 expires, the modem 100 enters the low power sleep mode. (*Page 7, Par. [0074]*). The second timer 445 determines the amount of time that the modem 100 remains in the low power sleep mode. (*Page 7, Par. [0074]*).

Barber simply recites a system where multiple timers are used to control when and how long a modem remains in a low power sleep mode. *Barber* lacks any mention that the modem may enter one of multiple low power sleep modes. In contrast, Claims 1 and 13 recite that an “RF transceiver” is placed in a “first of a plurality of low-power modes” by reducing a power supply voltage providing power to a “baseband section” in response to a determination that the baseband section is idle. As a result, *Barber* fails to anticipate all elements of Claims 1 and 13.

For these reasons, the Office Action does not establish that *Barber* anticipates the Applicants’ invention as recited in Claims 1 and 13 (and their dependent claims).

The dependent claims are patentable due to their dependence from allowable base claims and in light of their own recitations. For example, Claims 2, 7, 9, 14, 19, and 21 recite reducing a power supply voltage providing power to “receive path circuitry” and/or “transmit path circuitry” in other “low-power modes” (in addition to reducing a power supply voltage providing power to the “baseband section” in the first low-power mode as recited in Claims 1 and 13). *Barber* lacks any mention of reducing the amount of power provided to different components of the modem 100 while in different “low-power modes.” As a result, *Barber* fails to anticipate all elements of Claims 2, 7, 9, 14, 19, and 21.

For these reasons, the Office Action does not establish that *Barber* anticipates the Applicants' invention as recited in Claims 2, 7, 9, 14, 19, and 21 (and their dependent claims).

Accordingly, the Applicants respectfully request withdrawal of the § 102 rejection and full allowance of Claims 1-24.

II. NEW CLAIMS

The Applicants have added new Claims 25 and 26. The Applicants respectfully submit that no new matter has been added. The Applicants respectfully request entry and full allowance of Claims 25 and 26.

III. CONCLUSION

The Applicants respectfully assert that all pending claims in this application are in condition for allowance and respectfully request full allowance of the claims.

SUMMARY


If any issues arise, or if the Examiner has any suggestions for expediting allowance of this application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@davismunck.com*.

The Applicants have included the appropriate fee to cover the cost of this AMENDMENT AND RESPONSE. The Commissioner is hereby authorized to charge any additional fees connected with this communication (including any extension of time fees) or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: July 5, 2005



William A. Munck
Registration No. 39,308

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *wmunck@davismunck.com*